

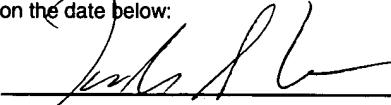


CERTIFICATE OF MAILING  
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Missing Parts; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

October 25, 2004

Date

  
Timothy S. Corder

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Timothy C. Thompson

Group Art Unit: 1641

Serial No.: 10/690,713

Examiner: Unknown

Filed: October 22, 2003

Atty. Dkt. No.: PRO025/4-9CON2US

For: METHODS FOR THE TREATMENT OF  
NEOPLASTIC DISORDERS WITH  
ANTI-CAVEOLIN AGENTS

Confirmation No. 9759

**RESPONSE TO 37 C.F.R. § 1.53(b) NOTICE**

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. § 1.53(b) dated September 8, 2004 (the "Notice"), Assignee asserts that it is entitled to Small Entity Status by virtue of being a non-profit organization.

**Applicant protests notice of failure to comply with requirements of 37 C.F.R. 1.821-1.825.**

Applicant submits that the only sequences contained in the application are those 14 sequences on page 16, of which 12 are only 2 nucleotides in length and 2 are 8 nucleotides in length. Thus none of these sequences fall within the requirements of 37 CFR 1.821(a). Withdrawal of this notice is respectfully requested.

Also in response to the Notice, there are enclosed herewith:

- (a) Declaration executed on behalf of Timothy C. Thompson;
- (b) An Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney on behalf of Baylor College of Medicine.
- (c) Credit Card Payment Form in the amount of \$65.00 to cover the surcharge for late filing (\$65.00); and
- (d) A copy of Notice to File Missing Parts of Application-Filing Date Granted.

An Assignment to Baylor College of Medicine along with a check for \$40.00 are being filed under separate cover.

If the Credit Card Payment Form is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Vinson & Elkins L.L.P. Deposit Account No. 22-0365/PRO025/4-9CON2US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Timothy S. Corder  
Reg. No. 38,414  
Agent for Applicant

Vinson & Elkins L.L.P.  
2300 First City Tower  
1001 Fannin  
Houston, Texas 77002-6760  
512-542-8619

Date: October 25, 2004



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October 25, 2004

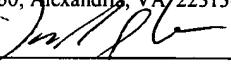
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October 25, 2004  
Date

  
Timothy S. Corder

*Re: U.S. Patent Application Serial No. 10/690,713 entitled "METHODS FOR THE TREATMENT OF NEOPLASTIC DISORDERS WITH ANTI-CAVEOLIN AGENTS" by Timothy C. Thompson.; Confirmation No. 9759 Our Ref. No.: PRO025/4-9CON2US*

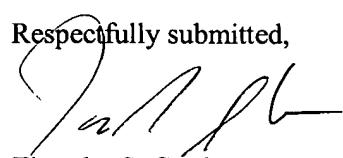
Sir:

Enclosed for filing in the above-referenced patent application is:

1. Response to 37 C.F.R. § 1.53(d) Notice;
2. Declaration;
3. Power of Attorney;
4. Copy of Notice to File Missing Parts;
5. Credit Card Payment Form for \$65.00; and
6. A return postcard to acknowledge receipt of these documents. Please date stamp and mail this postcard.

The Commissioner is hereby authorized to charge \$65.00 as indicated on the enclosed Credit Card Payment Form. If the referenced authorization is inadvertently omitted or deficient, or should an overpayment be included herein, the Commissioner is authorized to appropriately deduct or credit the requisite amount from VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/PRO025/4-9CON2US.

Respectfully submitted,

  
Timothy S. Corder  
Reg. No. 38,414

9282:5588

Enclosures

479017\_1.DOC



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
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[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/690,713	10/22/2003	Timothy C. Thompson	PRO025/4-9CONUS

21586  
 VINSON & ELKINS, L.L.P.  
 1001 FANNIN STREET  
 2300 FIRST CITY TOWER  
 HOUSTON, TX 77002-6760

## CONFIRMATION NO. 9759

## FORMALITIES LETTER



\*OC000000013746727\*

Date Mailed: 09/08/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/29/2004 RMEBRAHT 00000072 10690713

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 0P

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*BZ*  
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE